

RECEIVED and FILED by the
NEW JERSEY STATE BOARD OF
VETERINARY MEDICAL EXAMINERS
on this date of: July 17, 2001

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STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF VETERINARY MEDICAL EXAMINERS

IN THE MATTER OF THE LICENSE OF: :
: Administrative Action
ROBERT K. FITZPATRICK, D.V.M. :
LICENSE No. VI02340 :
: CONSENT ORDER
TO PRACTICE MEDICINE AND SURGERY :
IN THE STATE OF NEW JERSEY :

This matter was opened to the New Jersey State Board of Veterinary Medical Examiners (hereinafter the "Board") upon the receipt of information originating from a former employee of the Respondent, Robert K. Fitzpatrick, D.V.M., (hereinafter "Respondent"), alleging that Respondent engaged in conduct violative of statutes and regulations binding upon him as a licensee of the Board. Specifically, Respondent is alleged to have failed to secure specific written informed consent from a dog's owners regarding a euthanization procedure for the dog and for allegedly failing to follow the intention of the dog's owners to have the dog immediately euthanized. On May 28, 1997, Respondent appeared with his counsel, Steven I. Kern, Esq., before the Board at an Investigative Inquiry and gave sworn testimony as to these matters. On or about June 2, 2000, Complainant filed

an Administrative Complaint as to these allegations, and on or about June 15, 2000, Respondent filed an Answer denying in their entirety the charges contained in the Board's Complaint. The matter was then transferred as a contested case to the Office of Administrative Law for plenary hearing.

Both parties, desiring to terminate these proceedings without the need for a hearing and to avoid further costs of litigation, and the Board finding that the within disposition adequately protects the public's health, safety and welfare,

IT IS, therefore, on this 17th day of July, 2001,

ORDERED THAT:

1. Respondent is hereby reprimanded for having failed to obtain specific written informed consent from his clients before euthanizing their dog, constituting professional misconduct in violation of N.J.S.A. 45:1-21(e);

2. Respondent shall pay the Board's costs of investigation for the claims forming the bases of the Board's Complaint, in an amount totaling \$8,585.00, including expert costs and transcript costs. Payment shall be by certified check or money order made payable to the New Jersey State Board of Veterinary Medical Examiners and shall be submitted to the State Board of Veterinary Medical Examiners at 124 Halsey Street, P.O. Box 45020, Newark, New Jersey 07101, within twenty (20) days of the date of entry of this Order.

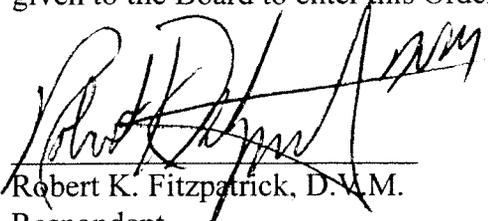
3. This Consent Order resolves all issues arising from the Administrative Complaint in

this matter, currently pending in the Office of Administrative Law, under docket number BDSVE
06065-00S.

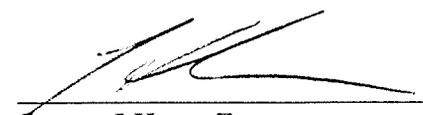
NEW JERSEY STATE BOARD OF
VETERINARY MEDICAL EXAMINERS


~~Carolyn Self, D.V.M.~~ JOHN G. DE VRIES
President

I have read and understood
the within Order and agree to be
bound by its terms. Consent is hereby
given to the Board to enter this Order.


Robert K. Fitzpatrick, D.V.M.
Respondent

Consented as to form and entry:


Steven I Kern, Esq.
Kern, Augustine, Conroy & Schoppmann
Attorneys for Respondent

